



PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

Attachment 3
Page 1 of 24

File Number: 2004-0257
No. 04-12

E11780

**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

This form is provided as a notification of an intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

PROJECT TITLE:

Application for a Rezone, Special Development Permit and Tentative Map filed by Brad King and Keith Jackson.

PROJECT DESCRIPTION AND LOCATION (APN):

Application for related proposals on a 36,337 square foot site located at **127 North Sunnyvale Avenue** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 204-49-012)

- **Rezone** from R-2 (Low-Medium Density Residential) Zoning District to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District,
- **Special Development Permit** to allow the development of ten new town homes, and
- **Tentative Map** to subdivide one lot into ten lots and one common lot.

WHERE TO VIEW THIS DOCUMENT:

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Tuesday, July 20, 2004**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

A public hearing on the project is scheduled for:

Monday, July 26, 2004 at 8:00 p.m. by the Planning Commission in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale; and on,

Tuesday, August 10, 2004 at 7:30 p.m. by the City Council in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

(No) listed toxic sites are present at the project location.

Circulated On June 30, 2004

Signed: Fred Bell
Fred Bell, Principal Planner



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File Number: 2004-0257
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MITIGATED NEGATIVE DECLARATION

This **Mitigated Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

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- **Rezone** from R-2 (Low-Medium Density Residential) Zoning District to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District,
- **Special Development Permit** to allow the development of ten new town homes, and
- **Tentative Map** to subdivide one lot into ten lots and one common lot.

FINDINGS:

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the Zoning and Subdivision regulations to ensure no significant detrimental effect by any proposed use, in the case of a PD overlay or any application for a Use Permit.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Clearance" and is based on the fact that the use is in keeping with and not in conflict with the adopted General Plan, Zoning Ordinance and Subdivision Ordinance and that the use would be in keeping with character of the proposed Zoning District. Site and architectural control will be exercised by the Planning Commission and City Council. No endangered species are known to depend on this site for habitat.

Noise Mitigation Measures:

- 1) Windows facing south and east shall have a minimum STC rating of 27 dB. Windows facing other directions could have lower STC ratings as long as they are double-glazed.
- 2) Residential doors leading to the outside on the south or east sides, including any sliding glass doors on balconies, shall meet an STC rating of 27.
- 3) Units nearest to the sources producing the worst noise levels (as defined in the consultant's report) must have a ventilation system that provides a habitable interior environment with the windows closed.
- 4) Two townhome units are located directly adjacent to North Sunnyvale Avenue, and would have outdoor noise levels above 60 dB. A solid wood fence at least 5 feet in height enclosing the back yards of both units would reduce back yard noise levels to less than 58 dB Ldn.

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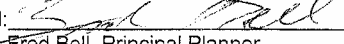
PLANNING DIVISION
CITY OF SUNNYVALE
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Circulated On June 30, 2004

Signed: 
Fred Bell, Principal Planner

Adopted On _____

Verified: _____
Fred Bell, Principal Planner



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File Number: 2004-0257
No. 04-12

California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION **E11780**

De Minimis Impact Finding

PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The Rezone, Special Development Permit and Tentative Map are located on 127 North Sunnyvale Avenue, City of Sunnyvale, County of Santa Clara in an R-2 (Low-Medium Density Residential) Zoning District. APN: 204-49-012)

PROJECT DESCRIPTION:

Application for related proposals on a 36,337 square foot site located at **127 North Sunnyvale Avenue** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 204-49-012)

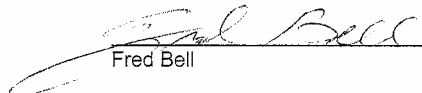
- **Rezone** from R-2 (Low-Medium Density Residential) Zoning District to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District,
- **Special Development Permit** to allow the development of ten new town homes, and
- **Tentative Map** to subdivide one lot into ten lots and one common lot.

FINDINGS OF EXEMPTION:

1. This project is in an urban setting.
2. There is no alteration of land or effect on fish or wildlife.

CERTIFICATION:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Fred Bell

Title: Principal Planner, Community Development
Lead Agency: City of Sunnyvale
Date: June 29, 2004

E11780

INITIAL STUDY
City of Sunnyvale
Department of Community Development
Planning Division
P.O.Box 3707
Sunnyvale, CA 94088-3707

Project #:	2004-0257 SDP/RZ/TM
Project Address:	127 N. Sunnyvale Rd., Sunnyvale
Applicant:	Brad King and Keith Jackson

1. Project Title: Application for a Special Development Permit to allow the construction of ten town homes.
2. Lead Agency Name and Address: City of Sunnyvale, Community Development Department, Planning Division
3. Contact Person and Phone Number: Ryan Kuchenig 408-730-7431
4. Project Location: 127 N. Sunnyvale Rd., Sunnyvale, CA
5. Project Sponsor's Name and Address: Glenn Cahoon, 41469 Millenium Tr., Fremont, CA 94538
6. General Plan Designation: RLM, Residential Low to Medium Density
7. Zoning: R2, Low to Medium Density Residential
8. The project consists of a Special Development Permit, Rezoning, and a Tentative Parcel Map application to subdivide a 36,337 sq. ft. lot into 10 lots and a common lot; demolition of an existing church building; and associated site improvements such as landscaping upgrades, utilities, and shared driveways & parking. The 100 block of North Sunnyvale Road was previously identified on the City's Cultural Resource Inventory, but information provided by the Santa Clara County Assessor's Office confirmed that the project site and its structures are not historically significant.
9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

North:	Medium Density Residential
South:	High Density Residential
East:	Manufacturing, Research and Development
West:	Medium and Low Density Residential

A church is located on the project site, which is surrounded by residential, commercial and industrial uses with research and development activities.
10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement) none

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Project #: 2004-0257 SDP/RZ/TM
Project Address: 127 N. Sunnyvale Rd., Sunnyvale
Applicant: Brad King and Keith Jackson

INITIAL STUDY ENVIRONMENTAL CHECKLIST
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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Recreation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities/Service Systems
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Mandatory Findings of Significance
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Population/Housing	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

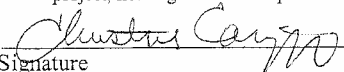
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☒

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐


Signature
Christine Cannizzo, Assistant Planner
Printed Name

6-25-04
Date
City of Sunnyvale
For (Lead Agency)

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Project #: 2004-0257 SDP/RZ/TM
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Applicant: Brad King and Keith Jackson

INITIAL STUDY ENVIRONMENTAL CHECKLIST

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EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

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Project Address: 127 N. Sunnyvale Rd., Sunnyvale
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INITIAL STUDY ENVIRONMENTAL CHECKLIST
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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant impact	No Impact	Source
I. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?	0	0	0	X	2, 94
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	0	0	0	X	2, 94, 115
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	0	0	0	X	2, 94, 101, 115
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	0	0	0	X	2, 94
II. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	0	0	0	X	3, 97, 100, 111,
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	0	0	0	X	3, 97, 100, 111,
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	0	0	0	X	3, 96, 97, 100, 111,
d. Expose sensitive receptors to substantial pollutant concentrations?	0	0	0	X	62, 63, 111, 112
e. Create objectionable odors affecting a substantial number of people?	0	0	0	X	111, 112

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
III. BIOLOGICAL RESOURCES:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	0	0	0	X	2, 94, 111, 112, 109
b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	0	0	0	X	2, 94, 111, 112, 109
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	0	0	0	X	2, 94, 111, 112, 109
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	0	0	0	X	2, 94, 111, 112, 109
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	0	0	0	X	41, 94, 111, 112
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	0	0	0	X	2, 41, 94, 111, 112
IV. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	0	0	X	0	10, 42, 60, 61, 94, 111, 115
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?	0	0	0	X	10, 42, 94, 115

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	θ	θ	θ	X	10, 42, 94, 111
d. Disturb any human remains, including those interred outside of formal cemeteries?	θ	θ	θ	X	2, 111, 112
V. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?	θ	θ	θ	X	2, 11, 12, 21, 28
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	θ	θ	θ	X	31, 28, 111
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	θ	θ	θ	X	2, 41, 94, 111
VI. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	θ	θ	θ	X	2, 94,
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	θ	θ	θ	X	2, 94
VII. NOISE. Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	θ	θ	X	θ	2, 16, 26, 94, 111, 112
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	θ	θ	θ	X	2, 16, 26, 94, 111, 112
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	θ	θ	θ	X	2, 16, 26, 94, 111, 112
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	θ	θ	X	θ	2, 16, 26, 94, 111, 112

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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VIII. POPULATION AND HOUSING. Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	0	0	X	0	2, 11, 111, 112
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	0	0	0	X	2, 11, 111, 112,
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	0	0	0	X	2, 11, 111, 112

IX. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Parks?	0	0	X	0	2, 18, 111, 112
b) Fire protection?	0	0	0	X	UFC/U BC/SV MC
c) Schools?	0	0	0	X	2, 111, 112
d) Other public facilities?	0	0	0	X	1, 2, 111, 112
e) Police protection?	0	0	0	X	26, 65, 66, 103, 104

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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X. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	0	0	0	X	2, 10, 26, 42, 59, 60, 61, 111, 112
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?	0	0	X	0	1, 2, 111, 112
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	0	0	0	X	111, 112

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XI. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	0	0	0	X	UBC, UPC, UMC, NEC
(ii) Strong seismic ground shaking?	0	0	X	0	"
(iii) Seismic-related ground failure, including liquefaction?	0	0	X	0	"
(iv) Landslides?	0	0	0	X	"
b) Result in substantial soil erosion or the loss of topsoil?	0	0	0	X	"
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	0	0	X	0	"
d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	0	0	0	X	"
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	0	0	0	X	"

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XII. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	0	0	0	X	2, 20, 24, 87, 88, 89, 90, 111, 112
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	0	0	0	X	2, 20, 24, 25, 87, 88, 89, 111, 112
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	0	0	0	X	2, 20, 24, 25, 87, 88, 89, 111, 112
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	0	0	0	X	2, 20, 24, 25, 87, 88, 89, 111, 112
e) Result in a determination by the wastewater treatment provider that services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	0	0	0	X	2, 20, 24, 25, 87, 88, 89, 90, 111, 112
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	0	0	0	X	2, 22, 90, 111, 112
g) Comply with federal, state, and local statutes and regulations related to solid waste?	0	0	0	X	2, 22, 90, 111, 112

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XIII. TRANSPORTATION/TRAFFIC. Would the project:

a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	0	0	0	X	2, 12, 71, 75, 76, 77, 111, 112
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	0	0	0	X	2, 71, 75, 76, 77, 80, 84, 111, 112,
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	0	0	0	X	2, 111, 112, 113
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	0	0	0	X	2, 12, 71, 75, 76, 77, 80, 84, 111, 112,
e) Result in inadequate emergency access?	0	0	0	X	2, 111, 112
f) Result in inadequate parking capacity?	0	0	0	X	2, 37, 111, 112
g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	0	0	0	X	2, 12, 81, 111, 112

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XIV. HAZARDS AND HAZARDOUS MATERIALS. Would the project?

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	0	0	X	0	Discussion at end of check-list
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	0	0	0	X	UFC/UB C/SVMC
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	0	0	0	X	UFC/UB C/SVMC
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	0	0	0	X	UFC/UB C/SVMC
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	0	0	0	X	UFC/UB C/SVMC
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	0	0	0	X	UFC/UB C/SVMC
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	0	0	0	X	UFC/UB C/SVMC

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XV. RECREATION					
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	0	0	X	0	2, 18, 111, 112
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	0	0	X	0	2, 18, 111, 112
XVI. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?					
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?	0	0	0	X	94
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	0	0	0	X	94
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?					

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
XVII. HYDROLOGY AND WATER QUALITY Would the project:	θ	θ	θ	X	2, 24, 25, 111, 112
a) Violate any water quality standards or waste discharge requirements?	θ	θ	θ	X	2, 24, 25, 111, 112
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	θ	θ	θ	X	2, 24, 25, 111, 112
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	θ	θ	θ	X	2, 24, 25, 111, 112
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?	θ	θ	θ	X	2, 24, 25, 111, 112
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	θ	θ	θ	X	2, 24, 25, 111, 112
f) Otherwise substantially degrade water quality?	θ	θ	θ	X	2, 12, 19, 24, 111, 112
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	θ	θ	θ	X	2, 19, 24, 111, 112
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	θ	θ	θ	X	2, 19, 24, 25, 111, 112
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	θ	θ	θ	X	2, 19, 24, 25, 111, 112
j) Inundation by seiche, tsunami, or mudflow?					

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DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT

IV CULTURAL RESOURCES (a)

The first source of review was the City's Cultural Resource Inventory which describes the 100 Block of N. Sunnyvale Avenue. The inventory describes the block as follows,

"Sunnyvale Avenue is lined with several houses. Executives from the canneries, Hendy Iron Works, and other industries built their gracious homes along N. Sunnyvale Avenue, close to business. Set far back from the street, these homes often are surrounded by handsome landscaping. Styles vary, and some newer construction exists, but the bungalows and Colonial Revival styles predominate."

The inventory states the significance of the block as follows,

"Part of the original townsite of Encinal, Sunnyvale Avenue is significant for its many gracious homes which act as reminders of the town's earlier days. Threatened by a possible increase in traffic from the shopping area, this area would benefit from a conservation zone approach. This zoning could protect the unity and special qualities of Sunnyvale's older homes."

The home was never individually listed on the City's Cultural Inventory and the 100 Block was never adopted as a Heritage Landmark zone.

The second source of information was the City's Municipal Code, Title 19 (Zoning Ordinance) which provides the criteria for nomination of a City Heritage resource. These criteria are similar to the criteria used for State and National eligibility, and are used for listing on the Heritage Landmarks list, not for listing on the City's Cultural Resource Inventory. Section 19.96.050 of Title 19 states the following,

"Any improvement, building, portion of buildings, structures, signs, features, sites, scenic areas, views, vistas, places, areas, landscapes, trees, or other natural objects or objects of scientific, aesthetic, educational, political, social, cultural, architectural, or historical significance can be designated a heritage resource by the city council and any area within the city may be designated a heritage resource district by the city council pursuant to provisions of this chapter if it meets the Criteria of the National Register of Historic Places, or one or more of the following:

- (a) It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic engineering, architectural, or natural history;*
- (b) It is identified with persons or events significant in local, state, or national history;*
- (c) It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;*
- (d) It is representative of the work of a notable builder, designer, or architect;*
- (e) It contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically or by plan or physical development;*
- (f) It has a unique location or singular physical characteristic or is a view or vista representing an established and familiar visual feature of a neighborhood, community, or the city of Sunnyvale;*

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- (g) It embodies elements of architectural design, detail, materials, or craftsmanship that represents a significant structural or architectural achievement or innovation;*
- (h) It is similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif;*
- (i) It reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning;*
- (j) It is one of the few remaining examples in the city, region, state, or nation possessing distinguishing characteristics of an architectural or historic type or specimen;*
- (k) With respect to a local landmark, it is significant in that the resource materially benefits the historical character of a neighborhood or area, or the resource in its location represents an established and familiar visual feature of the community or city.*
- (l) With respect to a local landmark district, a collective high integrity of the district is essential to the sustained value of the separate individual resources;*
- (m) With respect to a designated landmark and designated landmark district, the heritage resource shall meet Criteria of the National Register of Historical Places, which are incorporated by reference into this chapter. (Ord. 2623-99 § 1 (part); prior zoning code § 19.80.060)."*

Staff reviewed both sources of information (the Cultural Resource Inventory and Sunnyvale Municipal Code Section 19.96.050) and concluded that the residence is not eligible to be listed as an individual Heritage Cultural Resource or as a local Heritage Landmark. As recorded on documents provided by the Santa Clara County Assessor's Office, the existing building was constructed in 1956, which does not meet the 50 year threshold to qualify it as historic according to State criteria.

The church was never used as a residence; therefore the building does not qualify under criterion (b) listed above. The architecture does not embody a distinctive style or represent a time period; therefore, staff does not believe that it would qualify under criterion (c). The building was constructed to be used as a church, although the building's exterior design is more suited to a commercial use. Criterion (d) is for resources associated with prehistory of an area only. Based on this analysis, staff believes that the project would have a less than significant impact.

VII NOISE (a) The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.

Mitigation Measures for Potential Noise Exposure of New Residents: The Noise Sub-element for the City of Sunnyvale states that acceptable noise exposure for residential uses is 60 Ldn (the average sound level in decibels during a 24-hour period) and 45 dB for interior noise. Interior noise levels are also required by Title 24 of the California Code of regulations.

The project applicant provided a noise study for the project that was prepared by Environmental Consulting Services in Saratoga, CA. The noise study, which was prepared on May 26, 2004 provides the following mitigation measures to ensure that the dwelling structure will meet the interior noise limit of 45 dB and the exterior noise limit of 60 Ldn. Appendix A of the City of Sunnyvale Noise Sub-element Year 2010 Noise Exposure map was used to establish noise exposure for the site.

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Mitigation Measure 1: Windows facing south and east shall have a minimum STC rating of 27 dB. Windows facing other directions could have lower STC ratings as long as they are double-glazed.

Mitigation Measure 2: Residential doors leading to the outside on the south or east sides, including any sliding glass doors on balconies, shall meet an STC rating of 27 to match the overall noise mitigation criteria.

Mitigation Measure 3: Mitigation of outside noise is based upon windows that are closed in order to provide the required noise protection. Therefore, all units, particularly those units nearest to the sources producing the worst noise levels (as defined in the consultant's report) must have a ventilation system that provides a habitable interior environment with the windows closed.

Mitigation Measure 4: Two townhome units are located directly adjacent to North Sunnyvale Avenue, and would have outdoor noise levels above 60 dB. A solid wood fence at least 5 feet in height enclosing the back yards of both units would provide the needed protection and reduce back yard noise levels to less than 58 dB Ldn.

VII NOISE (d) The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.

VIII. POPULATION AND HOUSING (a) The project will add ten new residential units, which will not cause a substantial increase in population in the area. In addition, the project will provide an incremental benefit to the City as it will slightly improve the Jobs/Housing balance.

IX PUBLIC SERVICES (a) The project will generate a slight increase in the use of existing park facilities, but this impact is less than significant because the project will comply with the City's Park Dedication Fee requirement, which includes a fee of \$6,738.19 per unit; the project will generate revenue for the city-wide acquisition and improvement of park facilities to offset this potential increased use.

X MANDATORY FINDINGS OF SIGNIFICANCE (b) The project will provide additional housing units for the City's housing stock and has cumulative incremental effects, but these effects are not significant based on applicable environmental thresholds, existing facility and system capacities, and/or adopted service levels.

XI. GEOLOGY AND SOILS (a)(ii) The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for area's with potential for seismic activity this aspect of the project will be reduced to a less than significant level.

XI GEOLOGY AND SOILS (a)(iii) See Note for XI(ii).

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XI GEOLOGY AND SOILS (c) See Note for XI(ii).

XIV HAZARDOUS AND MAZARDOUS MATERIALS (a) The subject property is located across the street from the Northrop-Grumman owned property, which is the old Westinghouse site. This site is known to have soil and groundwater contamination. The site contamination is currently being cleaned and is a Federal Superfund site. The subject project will not disturb that area of soil and water contamination, and therefore, should not be affected by the contamination.

XV RECREATION (a) The project will generate a slight increase in the use of existing park facilities, but this impact is less than significant because the project will comply with the City's Park Dedication Fee requirement, which includes a fee of \$6,738.19 per unit to offset this potential increased use.

XV RECREATION (b) See Note for XV(a).

Completed By: Christine Cannizzo, Assistant Planner

Date: June 25, 2004

ENVIRONMENTAL CHECKLIST REFERENCE LIST

Note: All references are the most recent version as of the date the initial Study was prepared:

1. **City of Sunnyvale General Plan:**
2. Map
3. Air Quality Sub-Element
4. Community Design Sub-Element
5. Community Participation Sub-Element
6. Cultural Arts Sub-Element
7. Executive Summary
8. Fire Services Sub-Element
9. Fiscal Sub-Element
10. Heritage Preservation Sub-Element
11. Housing & Community Revitalization Sub-Element
12. Land Use & Transportation Sub-Element
13. Law Enforcement Sub-Element
14. Legislative Management Sub-Element
15. Library Sub-Element
16. Noise Sub-Element
17. Open Space Sub-Element.
18. Recreation Sub-Element
19. Safety & Seismic Safety Sub-Element
20. Sanitary Sewer System Sub-Element
21. Socio-Economic Sub-Element
22. Solid Waste Management Sub-Element
23. Support Services Sub-Element
24. Surface Run-off Sub-Element
25. Water Resources Sub-Element
26. **City of Sunnyvale Municipal Code:**
27. Chapter 10
28. Zoning Map
29. Chapter 19.42. Operating Standards
30. Chapter 19.28. Downtown Specific Plan District
31. Chapter 19.18. Residential Zoning Districts
32. Chapter 19.20. Commercial Zoning Districts
33. Chapter 19.22. Industrial Zoning Districts
34. Chapter 19.24. Office Zoning Districts
35. Chapter 19.26. Combining Zoning Districts
36. Chapter 19.28. Downtown Specific Plan
37. Chapter 19.46. Off-Street Parking & Loading
38. Chapter 19.56. Solar Access
39. Chapter 19.66. Affordable Housing
40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
41. Chapter 19.94. Tree Preservation
42. Chapter 19.96. Heritage Preservation
- Specific Plans**
43. El Camino Real Precise Plan
44. Lockheed Site Master Use Permit
45. Moffett Field Comprehensive Use Plan
46. 101 & Lawrence Site Specific Plan
47. Southern Pacific Corridor Plan
- Environmental Impact Reports**
48. Futures Study Environmental Impact Report
49. Lockheed Site Master Use Permit Environmental Impact Report
50. Tasman Corridor LRT Environmental Impact Study (supplemental)
51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
52. Downtown Development Program Environmental Impact Report
53. Caribbean-Moffett Park Environmental Impact Report
54. Southern Pacific Corridor Plan Environmental Impact Report
- Maps**
55. City of Sunnyvale Aerial Maps
56. Flood Insurance Rate Maps (FEMA)
57. Santa Clara County Assessors Parcel
58. Utility Maps (50 scale)
- Lists/Inventories**
59. Sunnyvale Cultural Resources Inventory List
60. Heritage Landmark Designation List
61. Santa Clara County Heritage Resource Inventory
62. Hazardous Waste & Substances Sites List (State of California)
63. List of Known Contaminants in Sunnyvale
- Legislation/Acts/Bills/Codes**
64. Subdivision Map Act
65. Uniform Fire Code, including amendments per SMC adoption

Attachment 3
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ENVIRONMENTAL CHECKLIST REFERENCE LIST

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Note: All references are the most recent version as of the date the initial Study was prepared:

- 66. National Fire Code (National Fire Protection Association)
- 67. Title 19 California Administrative Code
- 68. California Assembly Bill 2185/2187 (Waters Bill)
- 69. California Assembly Bill 3777 (La Follette Bill)
- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

Transportation

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers - Trip Generation
- 76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pagnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines
- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

Public Works

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan

- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

Miscellaneous

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)
- 99. Association of Bay Area Governments (ABAG) Population Projections
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

Building Safety

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

Additional References

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration
- 115. Historical and Architectural Evaluation-prepared by Dill Design Group November 2, 2002